

REMARKS

Reconsideration of the present application, as amended, is respectfully requested. No claims have been amended, added, or cancelled. Thus, claims 1, 3-39, 41-77 and 79-82 are presented for reconsideration.

Rejections under 35 U.S.C. § 102(e)

Examiner rejected claims 1, 3-39, 41-77 and 79-82 as being anticipated by U.S. Patent No. 6,341,316 to Kloba et al. Applicant respectfully submits that Applicant's invention as claimed in claims 1, 3-39, 41-77 and 79-82 is not anticipated by Kloba.

Kloba discloses that when a device makes a request for an object, the object is transformed to fit within the parameters of the device. (Kloba, col. 14, lines 58-60). The transformed object is then compared to the objects already cached on the device, so as to determine the set of changes that have occurred between the retrieved (transformed) objects and objects already cached. (Kloba, col. 14, lines 58-60 to col. 15, line 1). Thus, Kloba discloses transmitting only the set of changes to the device. (Kloba, col. 15, lines 1-2).

Claims 1, 3-19, 21, 24, 28-38

Claim 1 recites:

In an online system, a method for determining the capabilities of client devices and supplying media content in a format suitable for such devices, the method comprising:

receiving a request to provide a target device with a copy of a particular media object;
determining capabilities of the target device;

based on the capabilities of the target device, determining a format that is desired for providing the target device with a copy of the media object;

translating the particular media object into a copy having said determined format;

providing the target device with the copy having said determined format; and

storing the copy having said determined format in cache memory.

(Emphasis Added).

In a Response/Amendment dated May 4, 2005, the applicant argued that Kloba does not teach or suggest storing the copy of a media object having a format that is desired for providing the target device in cache memory. In the Office Action dated August 8, 2005, the Examiner stated:

Kloba discloses that the state information (and associated functionality) (Kloba, col. 23, l. 5-10) including the translate/transform/object associated with client is maintained or cached on the server (Kloba, col. 23, l. 10), which is used by a particular client (Kloba, col. 23, l. 60-67). The state information of the device and/or client is consider[ed] in this optimization process, and the optimization process is the web synchronization module in the server (Kloba, col. 23, l. 22-23).

(Office Action, page 2, ¶2).

The Examiner further states that Kloba discloses “storing the copy having said determined format in a server cache” at col. 23, l. 5-10. (Office Action, page 4, ¶3).

Applicant respectfully disagrees. Kloba merely discloses storing the state information in a cache, and not the copy of the media object having the format suitable for the requesting device in the cache. As disclosed in Kloba, the “client 108 provides state information regarding the nature of its resources.” (Kloba, p. 21, lines 19-20).

Kloba provides the following examples of state information:

Dynamic memory specifications, high memory specifications, available storage space, screen size, user profile(s), color depth, applications on device, buttons on-device, data markers, preferences, fonts, sync type,

supported data types, supported mime types, and connection/network profile.

(Kloba, col. 21, lines 24-29; col. 24, lines 1-22).

Thus, state information cannot be properly interpreted as a “copy”, which is a translated media object, as claimed. Therefore, Kloba does not teach or suggest storing the copy of the particular media object in cache memory, as claimed.

Accordingly, independent claim 1 and dependent claims 2-19, 21, 24, 28-38, which include every limitation of claim 1, are not anticipated by Kloba.

Claims 39, 41-62, 64, 66, and 69-71

Claim 39 recites:

An online system for providing digital media to target devices, the system comprising:
a capabilities module for determining the capabilities of a particular target device;
a transformation module for:
automatically retrieving a copy of a particular digital media object;
providing the target device with a copy of said object, said copy being automatically translated into a particular format based on the capabilities of the target device; and
storing the copy of said translated object in a server cache.

(Emphasis Added).

As explained above, Kloba discloses storing state information in a server cache and therefore, does not teach or suggest storing the copy of the translated object in a server cache. Accordingly, independent claim 39, its dependent claims 41 -62, 64, 66, and 69-71, are not anticipated by Kloba.

Claims 77-82

Claim 77 recites:

In an online system, a method for determining the capabilities of client devices, the method comprising:

receiving an original request from a target device in which said target device does not include information regarding its capabilities;

determining capabilities of the target device by examining the request submitted by the device;

supplementing said original request received from said target device with information about the capabilities of said target device; and

forwarding said supplemented request to a destination specified in said original request.

(Emphasis added).

In the Response/Amendment dated May 4, 2005, the applicant argued that Kloba discloses determining capabilities of the target device by interacting with the device, not by "examining the request submitted by the device" as claimed in claim 77. In the Office Action dated August 8, 2005, the Examiner stated:

Kloba discloses in col.23, l.55-67, that the server execute the web synchronization module (Kloba, col.23, l.22-23) about translate/transform/optimized of the object and conforms (compare and verify) state information request (Kloba, col.23, l.56-58) by a client and is used by the client (Kloba, col.23, l.60-62). The state information of the device is considered in this optimization process (Kloba, col.23, l.62-63). Therefore, all mentioned above is corresponds to the claim 77 – "determining capabilities of the target device by examining the request submitted by the device".

(Office Action, page 3, ¶4).

Kloba certainly discloses that the state information of the target device is considered in the optimization process. However, Kloba does not teach or suggest that the information is obtained from examining the request. Specifically, Kloba discloses that either the "client 108 sends state information to server 104 via client communications module 110", or "the server 104 obtains state information about client 108 from database module 126." (Kloba, col. 23, lines 40-41, 53-54). Thus, Kloba

discloses receiving state information from the client itself or from a database module, and not from the request.

Thus, Kloba does not determine client capabilities of the target device by examining the request submitted by the device.

Accordingly, independent claim 77, and its dependent claims 78-82, are not anticipated by Kloba.

Rejections under 35 U.S.C. § 103(a)

Examiner rejected claims 20, 22-23, 25-27, 63, 65, and 67-68 under 35 U.S.C. §103(a) as being unpatentable over Kloba in view of U.S. Patent Publication No. 2003/0041110 to Wenocur, et al. Applicant reserves the right to swear behind Wenocur (having a filing date of Jul. 25, 2001) at a later date. Regardless, as discussed above, Kloba does not teach or suggest each and every element of independent claims 1 and 39, and Wenocur does not supply the missing elements.

Wenocur discloses generating and using a compressed digital certificate. Wenocur does not teach or suggest storing the copy of the translated object in a server cache as claimed.

Since neither Kloba nor Wenocur, alone or in combination, teaches storing the copy of the translated object in a server cache as claimed in independent claims 1 and 39, the combination cannot be interpreted to render obvious Applicant's invention as claimed in associated claims 20, 22-23, 25-27, 63, 65, and 67-68. Accordingly, Applicant respectfully requests the withdrawal of the rejection over this combination.

CONCLUSION

Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome. Accordingly, the present and amended claims should be found to be in condition for allowance.

If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Judith Szepesi at (408) 720-8300.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,

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